

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**CHARLES S. BACON**

**Plaintiff,**

**- vs -**

**STIPULATION AND  
CONSENT ORDER OF  
DISMISSAL WITH  
PREJUDICE**

**FALSO HEATING & SHEET METAL, INC., FALSO  
SERVICE EXPERTS, LLC, LENNOX INDUSTRIES,  
INC, a/k/a FALSO HEATING & SHEET METAL,  
INC., a/k/a FALSO SERVICE EXPERTS, LLC, PAUL  
WALLACE, and THERESA PRATT;**

**Case No.: 08-CV-646**

**Defendants.**

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The above-named parties, by and through their undersigned attorneys, the said parties being all parties who have appeared in this action, none of whom is an infant, an incompetent person for whom a committee has been appointed or a conservatee, and there being no person not a party who has an interest in the subject matter of the action, hereby stipulate and agree, in accordance with a Settlement Agreement dated March 1, 2010, that this action shall be dismissed pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, with prejudice and on the merits, each party to bear their own costs incurred prior to the date of this stipulation.

DATED: Syracuse, New York  
March 17, 2010

For the Plaintiff:

**LAURIN HADDAD, ESQ.**

By: 

Laurin Haddad, Esq.  
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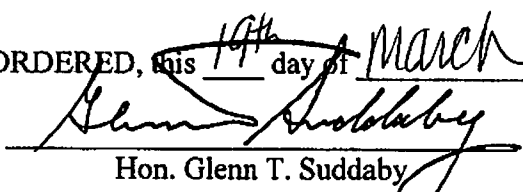
For the Defendants:

**JAECKLE, FLEISCHMANN & MUGEL, LLP**

By: 

Thomas E. Brydges, Esq.  
Twelve Fountain Plaza  
Buffalo, New York 14202-2292  
Telephone: (716) 843-3812

IT IS SO ORDERED, this 19<sup>th</sup> day of March, 2010

  
Hon. Glenn T. Suddaby